

REISSUE DECLARATION AND POWER OF ATTORNEY

J. MICHAEL TEETS and JON W. TEETS declare:

We are each citizens of the United States of America.

J. Michael Teets is a resident of Hobe Sound, Florida, County of Martin, whose post office address is 5225 Inkwood Drive, Hobe Sound, Florida 33455.

Jon W. Teets is a resident of Scottsdale, Arizona, County of Maricopa, whose post office address is 7556 E. Sweetwater Avenue, Scottsdale, Arizona 85260.

We believe ourselves to be the original, first and joint inventors of the subject matter which is described and claimed in Letters Patent No. 6,314,717, granted on November 13, 2001 and for which invention we solicit a reissue patent on the invention for which the specification and a Preliminary Amendment are attached hereto.

We have reviewed and understand the contents of the above identified specification, including the drawings, specification and claims, as amended by any amendment referred to above.

We do not know and do not believe that the same was ever known or used in the United States before our invention thereof.

We acknowledge our duty to disclose information of which we are aware which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

We verily believe U.S. Patent No. 6,314,717 (hereinafter "the patent") to be wholly or partly inoperative or invalid by reason of the patentees claiming less than we had a right to claim in the patent. These errors, which are being corrected up to the time of the filing of this application, arose without any deceptive intent on the part of the Applicants. We solicit a reissue patent to correct these errors.

All of these errors are corrected by amendment to the specification and drawings in this reissue application.

At least one error upon which reissue is based is described below.

Specifically, during a recent review of the scope of the patent, it was discovered that the legal scope of protection afforded by the claims of the patent was not as great as it could have been if additional method claims associated with the apparatus claims were included in the original application.

Furthermore, during a recent review of the scope of the patent, it was discovered that the legal scope of protection afforded by the claims of the patent was not as great as it could

{W0090341.1}

have been if unnecessary features and details of the invention had not been included in the claims. In particular, claim 1 includes features of the fuel metering valve which unnecessarily narrow the claim.

We declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint William H. Logsdon, Registration No. 22,132; Russell D. Orkin, Registration No. 25,363; David C. Hanson, Registration No. 23,024; Frederick B. Ziesenhein, Registration No. 19,438; Richard L. Byrne, Registration No. 28,498; Kent E. Baldauf, Registration No. 25,826; Barbara E. Johnson, Registration No. 31,198; Paul M. Reznick, Registration No. 33,059; John W. McIlvaine, Registration No. 34,219; Julie W. Meder, Registration No. 36,216; Lester N. Fortney, Registration No. 38,141; Randall A. Notzen, Registration No. 36,882; James G. Porcelli, Registration No. 33,757; Kent E. Baldauf, Jr., Registration No. 36,082; Christian E. Schuster, Registration No. 43,908; Nathan J. Prepelka, Registration No. 43,016; Jessica M. Schroth, Registration No. 47,102; Kirk M. Miles, Registration No. 37,891; J. Matthew Pritchard, Registration No. 46,228; Darrell E. Williams, Registration No. 45,222; Alka A. Patel, Registration No. 49,092; Philip J. Foret, Registration No. 51,689; Patricia A. Olosky, Registration No. 53,411; Alexander Detschelt, Registration No. 50,261; and Gwen R. Acker Wood, Registration No. 51,027, whose post-office address is 700 Koppers Building, 436 Seventh Avenue, Pittsburgh, Pennsylvania 15219-1818, Telephone No. 412-471-8815, my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, to amend the specification, to appeal in case of rejection, as they may deem advisable, to receive the patent when granted and generally to do all matters and things needful in the premises, as fully and to all intents and purposes as I could do.

All correspondence and telephone calls should be addressed to Richard L. Byrne.

I hereby subscribe my name to the foregoing specification and claims, declaration and power of attorney this 13th day of Nov, 2003.

Inventor J. Michael Teets
J. Michael Teets

I hereby subscribe my name to the foregoing specification and claims, declaration and power of attorney this 13 day of Nov, 2003.

Inventor Jon W. Teets
Jon W. Teets
J. Teets
(W0090341.1)

| | |
|--|---|
| REISSUE APPLICATION: CONSENT OF ASSIGNEE; STATEMENT OF NON-ASSIGNMENT | Docket Number (Optional) 3419-032151 |
|--|---|

This is part of the application for a reissue patent based on the original patent identified below.

Name of Patentee(s)

J. Michael Teets and Jon W. Teets

| | |
|----------------------------|---|
| Patent Number 6,314,717 | Date Patent Issued November 13, 2003 |
|----------------------------|---|

Title of Invention

Electricity Generating System Having An Annular Combustor

1. Filed herein is a statement under 37 CFR 3.73(b). (Form PTO/58/96)

2. Ownership of the patent is in the inventor(s), and no assignment of the patent is in effect.

One of boxes 1 or 2 above must be checked. If multiple assignees, complete this form for each assignee. If box 2 is checked, skip the next entry and go directly to "Name of Assignee".

The written consent of all assignees and inventors owning an undivided interest in the original patent is included in this application for reissue.

The assignee(s) owning an undivided interest in said original patent is/are Elliott Energy Systems, Inc. and the assignee(s) consents to the accompanying application for reissue.

Name of assignee/inventor (if not assigned)

Not Applicable

| | |
|--|------------------|
| Signature  | Date 11/13/03 |
|--|------------------|

Typed or printed name and title of person signing for assignee (if assigned)

David Jefferiss
Executive Vice President and Chief Operating Officer

This collection of information is required by 37 CFR 1.172. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Elliott Energy Systems, Inc.

Application No./Patent No.: 6,314,717 Filed/Issue Date: November 3, 2001

Entitled: ELECTRICITY GENERATING SYSTEM HAVING AN ANNULAR COMBUSTOR

Elliott Energy Systems, Inc., a corporation of Delaware
(Name of Assignee)
(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. the assignee of the entire right, title, and interest; or
2. an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %
in the patent application/patent identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 010284, Frame 0557, or for which a copy thereof is attached.

OR

B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

11/13/03

Date

772 463 3303

Telephone number

David Jeffreiss

Typed or printed name

Signature
Executive Vice President and
Chief Operating Officer

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and completing the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

DECEMBER 27, 1999

PTAS

WEBB ZIESENHEIM BRUENING ET AL
RICHARD L. BYRNE
700 KOPPERS BUILDING
436 SEVENTH AVENUE
PITTSBURGH, PA 15219-1818



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UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 10/01/1999

REEL/FRAME: 010284/0557
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:

TEETS, J. MICHAEL

DOC DATE: 08/30/1999

ASSIGNEE:

TEETS, JON W.

DOC DATE: 08/30/1999

ASSIGNEE:

ELLIOTT ENERGY SYSTEMS, INC.
2901 S.E. MONROE STREET
STUART, FLORIDA 34997

SERIAL NUMBER: 09319478

FILING DATE: 08/18/1999
ISSUE DATE:

PATENT NUMBER:

LAWAN FLETCHER, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS.

RECEIVED
WEBB, ZIESENHEIM, LOGSDON
ORKIN & HANSON PC

JAN - 3 2000

10-08-1999

SHEET

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

Tab settings → → → ↓

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To the Assistant Commissioner for Patents:
 Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

J. Michael Teets
Jon W. Teets

PO/1/99

2. Name and address of receiving party(ies)

Name: Elliott Energy Systems, Inc.

Internal Address: _____

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:

- Assignment Merger
 Security Agreement Change of Name
 Other _____

Execution Date: August 30, 1999

Street Address: 2901 S.E. Monroe Street

City: Stuart

State: FL ZIP: 34997

Additional name(s) & address(es) attached? Yes No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application,
the execution date of the application is: _____

A. Patent Application No.(s):

09/319,478

B. Patent No.(s):

Additional numbers attached? Yes No5. Name and address of party to whom correspondence
concerning document should be mailed:

Name: Richard L. Byrne

Internal Address: Webb Ziesenhein Bruening

Logsdon Orkin & Hanson, P.C.

Street Address: 700 Koppers Building

436 Seventh Avenue

City: Pittsburgh State: PA ZIP: 15219-1818

6. Total number of applications and
patents involved: 11

7. Total fee (37 CFR 3.41) \$ 40.00

 Enclosed Authorized to be charged to deposit account

8. Deposit account number:

(Attach triplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE G

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy
is a true copy of the original document.

Richard L. Byrne

Name of Person Signing
Registration No. 28,498

Signature

September 29, 1999

Date

Total number of pages including cover sheet, attachments and document 3

Mail documents to be recorded with required cover sheet information to:
 Assistant Commissioner for Patents, U.S. Patent and Trademark Office
 Office of Public Records, Crystal Gateway 4, Room 335
 Washington, D.C. 20231

ASSIGNMENT

WHEREAS, WE, J. MICHAEL TEETS and JON W. TEETS, residing in Hobe Sound, County of Martin, State of Florida and Scottsdale, County of Maricopa, State of Arizona, respectively, have invented certain new and useful improvements in AN ELECTRICITY GENERATING SYSTEM HAVING AN ANNULAR COMBUSTOR for which a patent application was received in the United States Patent and Trademark Office on June 1, 1999 and bears Serial No. 09/319,478;

AND, WHEREAS, Elliott Energy Systems, Inc., a corporation of Delaware, having a place of business at 2901 S.E. Monroe Street, Stuart, Florida 34997, hereinafter called the "assignee", is desirous of acquiring the entire right, title, and interest in and to said application and the inventions and improvements therein disclosed.

NOW, THEREFORE, for good and valuable consideration paid to us by said assignee, the receipt of which is hereby acknowledged, we do hereby assign, sell, transfer, and set over unto said assignee the entire right, title and interest in and to said application and the inventions and improvements therein disclosed for the United States and all foreign countries and any Letters Patent which may issue therefor in the United States and all foreign countries and all divisions, reissues, continuations, continuations-in-part, renewals, and/or extensions thereof, said assignee to have and to hold the interests herein assigned to the full ends of the terms of said Letters Patent and any and all divisions, reissues, continuations, continuations-in-part, renewals, and/or extensions thereof, respectively, as fully and entirely as the same would have been held and enjoyed by us had this assignment not been made.

The Assistant Commissioner for Patents is requested to issue such Letters Patent in accordance herewith. We covenant that we are the lawful owners of the said application, inventions, and improvements, that the same are unencumbered, that no license has been granted to make, use, or vend the said inventions or improvements or any of them, and that we have the full right to make this assignment.

And for the consideration aforesaid, we agree jointly and individually that we will communicate to said assignee or the representatives thereof any facts known to us respecting said inventions and improvements, and will, upon request, but without expense to us, testify in any legal proceedings, sign all lawful papers, execute all divisional, reissue, continuation, continuation-in-part, renewal, and/or extension applications, make all rightful oaths, and generally do all other and further lawful acts, deemed necessary or expedient by said assignee or by counsel for said assignee, to assist or enable said assignee to obtain and enforce full benefits from the rights and interests herein assigned. This assignment shall be binding upon our heirs, executors, administrators, and/or assigns, and shall inure

to the benefit of the heirs, executors, administrators, successors, and/or assigns, as the case may be, of said assignee.

Date 8/30/99

Inventor

J. Michael Teets
J. Michael Teets

STATE OF FLORIDA :

COUNTY OF MARTIN :

Before me, a Notary Public in and for the said County and State personally appeared J. Michael Teets, who acknowledged that he is the person who executed the foregoing assignment and acknowledged it to be his free and voluntary act and deed.

Witness my hand and notarial seal this 30 day of
Aug, 1999.

[NOTARIAL SEAL]



Darlene K Doucette
Notary Public

Date 8/30/99

Inventor

Jon W. Teets
Jon W. Teets

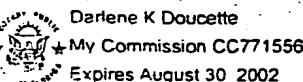
STATE OF FLORIDA :

COUNTY OF MARTIN :

Before me, a Notary Public in and for the said County and State personally appeared Jon W. Teets who acknowledged that he is the person who executed the foregoing assignment and acknowledged it to be his free and voluntary act and deed.

Witness my hand and notarial seal this 30 day of
Aug, 1999.

[NOTARIAL SEAL]



Darlene K Doucette
Notary Public